

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

Donald Koester, <i>et al.</i> ,)	
)	No. 2:19-cv-02283-SHL-jay
Plaintiffs,)	
)	Judge Lipman
v.)	
)	Magistrate Judge York
USAA General Indemnity Company, <i>et al.</i> ,)	
)	
Defendants.)	

Fred Juhnke Colby,)	
)	No. 2:19-cv-2736-SHL-jay
Plaintiffs,)	
)	Judge Lipman
v.)	
)	Magistrate Judge York
USAA General Indemnity Company)	
)	
Defendant.)	

**DEFENDANTS’ UNOPPOSED MOTION FOR EXTENSION TO FILE MOTION FOR
PRELIMINARY APPROVAL AND INCORPORATED MEMORANDUM IN SUPPORT**

Defendants USAA General Indemnity Co., USAA Casualty Insurance Company, and United Services Automobile Association (together, “Defendants”) respectfully move this Court to extend the deadline to file a motion for preliminary approval set for April 13, 2020 by one week.

On January 31, 2020 the Parties filed a Joint Motion for Scheduling Order, reporting that they had agreed in principle to settle all claims and requesting the Court enter an amended scheduling order. (ECF. No. 51). On February 18, 2020, the Court granted the Motion and entered an updated Scheduling Order in this matter (ECF No. 52). Under that Scheduling Order, the

current deadline for Plaintiffs to file any motion for preliminary approval of class settlement is April 13, 2020. (ECF. No. 52).

Defendants file this unopposed motion seeking an extension of this deadline to and including April 20, 2020. Defendants state that they require additional time to assemble the data necessary for the notification letters required under the Class Action Fairness Act, that by statute must be sent ten days after filing the motion for preliminary approval. Further, that Defendants require the additional time to obtain signatures of executives for the Proposed Settlement Agreement. Defendants seek this additional time as a result of the difficulties – including, but not limited to recent travel restrictions, work-from-home directives, and other safety measures implemented by Defendants – caused by the current COVID-19 pandemic. *See* USAA, *How USAA is taking care of its Employees and Community during the Coronavirus (COVID-19) Pandemic*, <https://www.usaa.com/inet/wc/coronavirus-community-support> (last visited April 9, 2020). Plaintiffs’ counsel does not oppose this motion.

WHEREFORE, Defendants request that the Court grant this motion and extend the deadline to file any motion for preliminary approval of class settlement up to and including April 20, 2020.

Respectfully submitted,

/s/ Mark A. Johnson

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Attorneys for Defendants

CERTIFICATE OF CONSULTATION

I hereby certify that I consulted with Mr. Erik Peterson by email on April 9, 2020 and all other parties do not oppose the action requested by this motion.

/s/ Mark A. Johnson

Mark A. Johnson

Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2020 a true and correct copy of the foregoing was filed via the Court's CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Mark A. Johnson

Mark A. Johnson

Attorney for Defendants